

THE ATKIN FIRM, LLC

Formed in the State of New Jersey

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP
address 72.76.169.60,

Defendant.

Civil Case No. 3:23-cv-20620-RK-JBD

**NOTICE OF MOTION FOR
LEAVE TO SERVE
A THIRD PARTY
SUBPOENA PRIOR TO A
RULE 26(f) CONFERENCE**

**TO: ALL COUNSEL OF RECORD IN THE ABOVE CAPTIONED
MATTER**

PLEASE TAKE NOTICE that on November 6, 2023, at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiff Strike 3 Holdings, LLC (“Plaintiff”) will appear before the Honorable J. Brendan Day, U.S.M.J., of the United States District Court for the District of New Jersey, at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton,

NJ 08608, to move this Court pursuant to Federal Rule of Civil Procedure 26 for an Order granting Plaintiff leave to serve a third party subpoena on Defendant's internet service provider prior to the Rule 26(f) conference.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Plaintiff will rely upon the accompanying Brief and Declarations of David Williamson, Patrick Paige, and Susan B. Stalzer, submitted herewith; any reply papers in support of this Motion; and oral argument, if any.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 7.1(e), a proposed form of order is also submitted herewith for the Court's consideration.

DATED: 10/09/2023

Respectfully submitted,

THE ATKIN FIRM, LLC

*Attorneys for Plaintiff,
Strike 3 Holdings, LLC*

By: /s/ John C. Atkin, Esq.
JOHN C. ATKIN